.UP 10 2; Fixed-pitch, newprinter; -n -ml4 -PA4 -dFX-NORMAL -Fx -e -j;
dumbp
L.......T.......T.......T.......T.......T.......T.......T.......T....R
.UP 10 2; Fixed-pitch, newprinter; -n -ml4 -PA4 -dFX-NORMAL -Fx -e -j;
dumbp
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.PL55
.SP2

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELALTE SIDE

WRIT PETITION NO.3817 OF 2006

Laxmibai Tulajansa Khatwate & Ors. ..Petitioners.
Vs.
Chandrakant Khanderao Palimkar & Ors...Respondents.
.....
Mr.S.S.Patwardhan for the Petitioner.
Mr.Ajay A. Joshi for Respondent Nos.1 and 2.
Mr.I.K.Kulkarni for Respondent No.3.
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CORAM : DR.D.Y.CHANDRACHUD, J.@@
AAAAAAAAAAAAAAAAAAAAAAAAAAAAAA
June 26, 2006.

P.C. :@@
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..............L.......I.T.......T.......T.......T.......T.......J

A partial decree for possession has been passed and the Petitioners have been directed to hand over possession of the first floor to the landlord-Respondents within a period of three months. The judgment and order of the Additional District Judge, Pandharpur dated 28th January 1998 was confirmed by this Court. The executing Court had now issued a possession warrant. The order of the Additional District Judge, Pandharpur dated 28th January 1998 records in para 19 that the landlord would be entitled to the first floor for his personal use and occupation and should make necessary repairs and arrangements to go to the first floor by putting up a staircase. The executing Court has recorded that a substantial part of the work of installation of the staircase is completed. Counsel for the Respondents also stated that the work of staircase for giving access to the first floor would be completed in any event within one week from today. In that view of the matter no interference is called for under Article 227 of the Constitution. Counsel appearing on behalf of the Petitioners states on instructions that the Petitioners will handover possession. The Petition is dismissed.

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